



# PSC NEWS

## Missouri Public Service Commission

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FY-02-98

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### COMMISSION FILES IN WESTERN DISTRICT COURT OF APPEALS

Jefferson City (November 30, 2001)---This afternoon, the Missouri Public Service Commission filed documents in the Western District Court of Appeals in Kansas City seeking an appellate review of Tuesday's Cole County Circuit Court order which granted a stay to Missouri Gas Energy and Atmos Energy Corporation. "We have asked the Court of Appeals to vacate the stay and force Missouri Gas Energy and Atmos Energy Corporation to implement the emergency amendment to the Commission's Cold Weather Rule," stated Commission Chairman Kelvin Simmons.

The stay issued in Cole County Circuit Court on Tuesday allows two of the state's eight natural gas companies to avoid implementing the Commission's emergency amendment to the Cold Weather Rule. The emergency amendment is designed to help get customers who are currently disconnected for nonpayment or who face disconnection for nonpayment on the system and receive natural gas service to heat their homes or apartments. A key component of the emergency amendment is providing for more lenient payment terms in an effort to get service restored for customers without natural gas heat.

"As we stated on Tuesday, time is of the essence and we have acted quickly," stated Commission Chairman Kelvin Simmons. "We have asked the court for expedited treatment as winter weather has already arrived." The Commission's filing in court today states: "Winter, and its direct threats to Missourians, will not accommodate normal appellate review, and its attendant delays. Vindication of the Commission actions in six or eight months will be cold comfort to customers who otherwise will be without heat in December and January."

"We needed to take this action today as we continue to explore avenues to help get natural gas service restored to thousands of customers without heat," stated Simmons. "The courts is simply one avenue. The door at the Commission has and continues to be open. We would certainly be willing to discuss these issues with Missouri Gas Energy and Atmos Energy Corporation. But again let me emphasize that time is of the essence."

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